

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Reginald Dwayne Townsend

Docket No. 5:96-CR-157-16H

Petition for Action on Supervised Release

COMES NOW Keith W. Lawrence, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Reginald Dwayne Townsend, who, upon an earlier plea of guilty to Count 1- Conspiracy to Possess With Intent to Distribute and Distribute Cocaine Base, in violation of 21 U.S.C. § 846 and Count 28- Use or Carry a Firearm During and In Relation to a Drug Trafficking Crime, in violation of 18 U.S.C. § 924(c), was sentenced by the Honorable Malcolm J. Howard, U.S. District Judge, on November 11, 1997, to the custody of the Bureau of Prisons for a term of 168 months in Count 1 and 60 months in Count 28 to run concurrently to Count 1. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for five years under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall not possess a firearm or destructive device.
2. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
3. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
4. The defendant shall participate in a vocational training program as directed by the probation office.

Reginald Dwayne Townsend was released from custody on May 6, 2009, at which time the term of supervised release commenced. On October 4, 2010, as a result of the defendant testing positive for the use of marijuana on September 22, 2010, a Violation Report was forwarded to the court. On August 4, 2011, as a result of the defendant testing positive for the use of cocaine on July 11, 2011, the court modified the conditions of supervised release to include:

The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.

On December 3, 2012, as a result of the defendant testing positive for the use of cocaine on

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November 8, 2012, a Violation Report was forwarded to the court, recommending to continue supervision with a referral to substance abuse treatment.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On January 18, 2013, the defendant committed the offenses of Flee/Elude Arrest With Motor Vehicle (13CR50949), Driving While Impaired, Reckless Driving to Endanger (13CR50950), Resisting Public Officer, Speeding (13CR50951), Expired Registration Card, and Fail to Stop Stopsign/Flashing Red Light (13CR50952) in Cumberland County, North Carolina. As a sanction for this conduct, and in an effort to deter future criminal conduct, we are recommending that the conditions of supervised release be modified to include 10 days in jail. Furthermore, we are increasing the defendant's substance abuse treatment. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The defendant shall be confined in the custody of the Bureau of Prisons for a period of 10 days, commencing and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

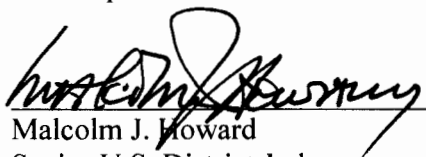
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt
Robert K. Britt
Senior U.S. Probation Officer

/s/ Keith W. Lawrence
Keith W. Lawrence
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: February 6, 2013

ORDER OF COURT

Considered and ordered this 7th day of February, 2013, and ordered filed and made a part of the records in the above case.



Malcolm J. Howard
Senior U.S. District Judge